

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

REALTIME DATA LLC d/b/a IXO,

Plaintiff,

v.

HEWLETT PACKARD ENTERPRISE
CO., HP ENTERPRISE SERVICES, LLC,

Defendants.

Case No. 6:16-cv-00086-RWS-JDL

REALTIME DATA LLC d/b/a IXO,

Plaintiff,

v.

VERITAS TECHNOLOGIES LLC,
SAVVIS COMMUNICATIONS
CORPORATION,

Defendants.

Case No. 6:16-cv-00087-RWS-JDL

REALTIME DATA LLC d/b/a IXO,

Plaintiff,

v.

DELL INC. and EMC CORPORATION,

Defendants.

Case No. 6:16-cv-00089-RWS-JDL

JOINT STATUS REPORT REGARDING IPRS

Pursuant to the Court's June 21, 2018 order, the parties in the above captioned cases hereby provide this joint status report regarding status of the IPR proceedings.

IPR No.	Challenged Claims	Current Status
IPR2016-00783	Claims 1-4, 8, 14-17, 21, and 28 of USP 6,597,812	<ul style="list-style-type: none"> PTAB issued a Final Written Decision on 09/28/2017, finding that the Petitioners have shown by a preponderance of the evidence that the asserted claims are unpatentable. Realtime filed an appeal to the Federal Circuit, docketed 11/06/2017.
IPR2016-00978 IPR2017-00366	Claims 1-4, 6, 10-16, 18-20, and 22 of USP 8,643,513	<ul style="list-style-type: none"> PTAB issued a Final Written Decision on 10/30/2017, finding that the Petitioners have shown by a preponderance of the evidence that the asserted claims are unpatentable. Realtime filed an appeal to the Federal Circuit, docketed 11/06/2017.
IPR2016-00980	Claims 48-49 of USP 7,378,992	<ul style="list-style-type: none"> PTAB issued a Final Written Decision on 10/27/2017, finding that the Petitioners have shown by a preponderance of the evidence that the asserted claims are unpatentable. Realtime filed an appeal to the Federal Circuit, docketed 11/06/2017.
IPR2016-01002 IPR2017-00364	Claims 1-2, 4-6, 9, 11, 21-22, and 24-25 of USP 9,116,908	<ul style="list-style-type: none"> PTAB issued a Final Written Decision on 10/31/2017, finding that the Petitioners did not show by a preponderance of the evidence that the asserted claims are unpatentable. Defendants filed an appeal to the Federal Circuit, docketed 01/02/2018.
IPR2016-00972 IPR2017-00365	Claims 1-5, 9-12, 14, 18-19, and 24 of USP 7,415,530	<ul style="list-style-type: none"> PTAB issued a Final Written Decision on 5/15/2018, finding that the Petitioners did not show by a preponderance of the evidence that the asserted claims are unpatentable. Defendants intend to file an appeal to the Federal Circuit no later than 07/17/2018.

IPR No.	Challenged Claims	Current Status
IPR2017-00176 IPR2017-01688	Claims 104-105 of USP 7,161,506	<ul style="list-style-type: none"> PTAB issued a Final Written Decision on 5/25/2018, finding that the Petitioners have shown by a preponderance of the evidence that the asserted claims are unpatentable. Notice of appeal is due 07/27/2018.
IPR2017-00179 IPR2017-01690	Claims 1-10, 15, 20, and 24 of USP 9,054,728	<ul style="list-style-type: none"> PTAB issued a Final Written Decision on 5/25/2018, finding that the Petitioners did not show by a preponderance of the evidence that the asserted claims are unpatentable. Defendants intend to file an appeal to the Federal Circuit no later than 07/27/2018. IPR2018-00614 was filed by Hughes Network Systems, LLC and EchoStar Corporation on 02/13/2018, challenging '728 patent claim 25 only. IPR2018-00703 was filed by Acronis, Inc. on 02/26/2018, challenging '728 patent claims 1, 2, 4-6, 9, 10, 15, 20, 24, and 25 only.

Dated: June 28, 2018

Respectfully submitted,

By: /s/ C. Jay Chung

Marc A. Fenster (CA SBN 181067)

Email: mfenster@raklaw.com

Brian D. Ledahl (CA SBN 186579)

Email: bledahl@raklaw.com

Reza Mirzaie (CA SBN 246953)

Email: rmirzaie@raklaw.com

Paul Kroeger (CA SBN 229074)

Email: pkroeger@raklaw.com

C. Jay Chung (CA SBN 252794)

Email: jchung@raklaw.com

Philip X. Wang (CA SBN 262239)

Email: pwang@raklaw.com

Christian Conkle (CA SB No. 306374)

Email: cconkle@raklaw.com

RUSS AUGUST & KABAT

12424 Wilshire Boulevard, 12th Floor

Los Angeles, CA 90025

Telephone: 310/826-7474

Facsimile 310/826-6991

T. John Ward, Jr.

Texas State Bar No. 00794818

E-mail: jw@wsfirm.com

Claire Abernathy Henry

Texas State Bar No. 24053063

E-mail: claire@wsfirm.com

Andrea Fair

State Bar No. 24078488

E-mail: Andrea@wsfirm.com

Ward, Smith & Hill, PLLC

PO Box 1231

Longview, Texas 75606-1231

(903) 757-6400 (telephone)

(903) 757-2323 (facsimile)

Attorneys for Plaintiff

REALTIME DATA LLC d/b/a IXO

Dated: June 28, 2018

By: /s/ Lisa D. Zang

Melissa R. Smith

(TX Bar No. 24001351)

melissa@gillamsmithlaw.com

GILLAM & SMITH, LLP

303 South Washington Avenue

Marshall, TX 75670

Telephone: (903) 934-8450

Facsimile: (903) 934-9257

Edward G. Poplawski

(CA Bar No. 113590)

epoplawski@wsgr.com

Olivia M. Kim

(CA Bar No. 228382)

okim@wsgr.com

Lisa D. Zang

(CA Bar No. 294493)

lzang@wsgr.com

WILSON SONSINI GOODRICH & ROSATI

Professional Corporation

633 West Fifth Street, Suite 1550

Los Angeles, CA 90071

Telephone: (323) 210-2900

Facsimile: (866) 974-7329

Counsel for Defendants

HEWLETT PACKARD ENTERPRISE CO. and

HP ENTERPRISE SERVICES, LLC

Dated: June 28, 2018

By: */s/ Kourtney Mueller Merrill*

Douglas L. Sawyer (Lead Attorney)

Illinois State Bar No. 6275849

Perkins Coie LLP

131 S. Dearborn Street, Suite 1700

Chicago, IL 60603-5559

Phone: (312) 324-8400

Fax: (312) 324-9400

DSawyer@perkinscoie.com

Kourtney Mueller Merrill

Colorado State Bar No. 36662

Perkins Coie LLP

1900 Sixteenth Street, Suite 1400

Denver, Colorado 80202

Phone: (303) 291-2388

Fax: (303) 291-3488

KMerrill@perkinscoie.com

Roger Brian Craft

Texas State Bar No. 04972020

Eric Hugh Findlay

Texas State Bar No. 00789886

FINDLAY CRAFT P.C.

102 North College Avenue, Suite 900

Tyler, TX 75702

Phone: (903) 534-1100

Fax: (903) 534-1137
bcraft@findlaycraft.com
efindlay@findlaycraft.com

***Attorneys for Defendant Savvis
Communications Corporation***

Dated: June 28, 2018

By: /s/ Lisa K. Nguyen
LATHAM & WATKINS LLP
Dean G. Dunlavey
650 Town Center Drive, 20th Floor
Costa Mesa, CA 92626-1925
Tel: (714) 540-1235 / Fax: (714) 755-8290
dean.dunlavey@lw.com

Lisa K. Nguyen
140 Scott Drive
Menlo Park, CA 94025-1008
Tel: (650) 328-4600 / Fax: (650) 463-2600
lisa.nguyen@lw.com

Alan M. Billharz
555 Eleventh Street, NW, Suite 1000
Washington, D.C. 20004
Tel: (202) 637-2200 / Fax: (202) 637-2201
alan.billharz@lw.com

Amit Makker
505 Montgomery Street, Suite 2000
San Francisco, CA 94111
Tel: (415) 391-0600 / Fax: (415) 395-8095
amit.makker@lw.com

FINDLAY CRAFT, P.C.
Eric H. Findlay
State Bar No. 00789886
Brian Craft
State Bar No. 04972020
102 N. College Ave., Suite 900
Tyler, Texas 75702
Tel: (903) 534-1100 / Fax: (903) 534-1137
efindlay@findlaycraft.com
bcraft@findlaycraft.com

***Attorneys for Defendant and Counterclaim-
Plaintiff Veritas Technologies LLC***

Dated: June 28, 2018

By: /s/ J. Michael Woods

Deron R. Dacus
Texas Bar No. 00790553
The Dacus Firm, P.C.
821 ESE Loop 323, Suite 430
Tyler, Texas 75701
(903) 705-7232
ddacus@DacusFirm.com

Cynthia D. Vreeland (BBO# 635143)
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, MA 02109
(617) 526-6000
Cynthia.vreeland@wilmerhale.com

Gregory H. Lantier (DC Bar# 492043)
Wilmer Cutler Pickering Hale and Dorr LLP
1801 Pennsylvania Avenue NW
Washington, DC 20006
(202) 663-6000
Gregory.lantier@wilmerhale.com

Thomas M. Dunham
D.C. Bar No. 448407
Attorney-in-Charge
J. Michael Woods
D.C. Bar No. 975433
Winston & Strawn LLP
1700 K Street, N.W.
Washington, DC 20006
Telephone: (202) 282-5000
Fax: (202) 282-5100
TDunham@winston.com
MWoods@winston.com

***Attorneys for Defendants,
Dell Inc. and EMC Corporation***

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served on all counsel of record via electronic service on June 28, 2018.

/s/ C. Jay Chung